

Career Alliance, Inc.

Building Quality Lives



**Workforce Development
Board Officers**

Mr. J. Michael Zelle
Chairperson

Ms. Edith Prunty-Spencer
Vice Chairperson

Mr. Jimmy King
Treasurer

Ms. Katie Wolf
Secretary

**Career Alliance, Inc.
Executive Staff**

Ms. Pamela Y. Loving
President/CEO

Ms. Lila Lipscomb
Special Assistant
to President/CEO

Mr. QB Pittman
Chief Financial Officer

Mr. John Rhymes
Executive Director of
The Broome Center

Ms. Sharon Bowen
Assistant Vice President

Mr. Craig Coney
Assistant Vice President

Ms. Tanesha Malone
Director of Human Resources

Ms. Carol Piesko
Project Director (ODEP)

Ms. Nichole Taylor
Director of Special Projects

Ms. Peggy Kendrick
Director of Policy
& Performance

Mr. William Hetchler
Director of
Communications

GENESEE/SHIAWASSEE MWA POLICY LETTER NO. 05-25

Date: January 19, 2007

To: Chief Executive of Contractors

From: Pamela Y. Loving, President/ CEO

Subject: Equal Opportunity Policy and Compliance Manual

Program Affected:

- Workforce Investment Act (WIA),
- Temporary Assistance for Needy Families (TANF),
- Food Assistance Employment and Training (FAE&T),
- Reed Act,
- Trade Act ,
- State of Michigan General Fund/General Purpose (GF/GP) Funded Programs Administered by the Michigan Department of Labor & Economic Growth/ Bureau of Workforce Programs (DLEG/BWP)
- Wagner-Peyser Act

Rescissions: Genesee/ Shiawassee MWA Policy letter NO 01-03

References:

- 29 CFR Part 37, Implementation of the Nondiscrimination and Equal Opportunity Provisions of the Workforce Investment Act of 1998; Final Rule;
- 45 CFR Part 80, Nondiscrimination Under Programs Receiving Federal Assistance through the Department of Health and Human Services, Effectuation of Title VI of the Civil Rights Act of 1964;
- 7 CFR Part 15.1-15.12, Nondiscrimination In Federally Assisted Programs of the U.S. Department of Agriculture, Effectuation of Title VI of the Civil Rights Act of 1964;
- 29 CFR, Part 32, Nondiscrimination on the Basis of Handicap in Programs and Activities Receiving or Benefiting From Federal Financial Assistance;

Genesee County: 711 North Saginaw, Suite 300 • Flint, MI 48503 • Ph: 810.233.5974 • Fax 810.233.8652
Shiawassee County: 1795 W. Main, Suite 115 • Owosso, MI 48867 • Ph: 989.729.9599 • Fax 989.729.2659
Toll Free 1.800.551.3575 • www.careeralliance.org • TTY 810.233.4242

An Equal Employment Opportunity Organization. Auxiliary Aids and Services, Including Accommodations, are Available Upon Request To Individuals With Disabilities.

Effective: Immediately

Background: This manual highlights the equal opportunity (EO) management requirements imposed on recipients of federal financial assistance from the Workforce Development Board of Genesee and Shiawassee Counties to Career Alliance, Inc. The policies and procedures outlined in this guide are consistent with guidance issued by the Michigan Department of Labor & Economic Growth (DLEG), which establishes the framework by which the state and its recipients will meet EO regulatory requirements. The majority of the referenced requirements originate from 29 CFR Part 37, Implementation of the Nondiscrimination and Equal Opportunity Provisions of the Workforce Investment Act of 1998. Other provisions reflect local policy standards adopted by Michigan Works!

Action: Career Alliance, Inc. and its Service Providers receiving Federal and State funding must comply with this policy.

Policy:

I. ADMINISTRATIVE OBLIGATIONS AND THE DESIGNATION OF AN EQUAL OPPORTUNITY LIAISON

1.0 POLICY: Service providers must designate an individual to coordinate its EO compliance efforts and must comply with EO requirements and other administrative obligations specified by Career Alliance.

1.1 Designation of an EO Liaison

Each service provider under contract with Career Alliance, Inc. must appoint an EO Liaison to assist Career Alliance in ensuring that all programs operated within our service network comply with state and federal EO regulatory requirements. It is expected that the EO Liaison will serve as an initial point of contact at their facility on EO issues and will be responsible for ensuring that EO notification processes are followed and records are maintained within the requirements of this policy. The EO Liaison will also be responsible for ensuring that all consumers and employees are made aware of the EO policy and retain confirmation of that awareness in their file. In addition, each EO Liaison will be responsible for:

- Providing information, as may be requested, regarding the contractor's EO compliance status to Career Alliance, Inc., DLEG, USDOL's Civil Rights Center, and other state/federal agencies;
- Collecting/reviewing data to determine whether the provider has complied or is complying with WIA/other federal/state nondiscrimination and EO provisions;

- Preparing reports required by the Career Alliance, Inc. EO Officer;
- Monitoring their agency's EO activity;
- Assisting Michigan Works! Career Alliance's EO Officer with the investigation and resolution of complaints alleging EO violations;
- Acting as the service provider's Reasonable Accommodations/Limited English Proficiency Coordinator

Service providers are responsible for notifying Career Alliance, Inc. of their designated EO liaison at the beginning of the contract period and immediately when a change in appointment is made. Individuals acting in this capacity are expected to attend all training sessions on EO-related issues held or suggested by Career Alliance, Inc. and may be required to complete other special assignments or perform duties as requested by the MWA.

1.2 Workforce Composition/Representative Boards, Planning and Advisory Groups

The staff composition of provider agencies and all boards, planning, and advisory groups formed to carry out workforce initiatives, must be diverse and reasonably represent the demographic composition and significant segments of the community in which services are delivered. To demonstrate compliance with this requirement, service providers must maintain and make available to Career Alliance upon request, the Minority-Female-Older Worker-Individuals with Disabilities Status Report or a comparable data document that highlights agency staffing patterns. Data regarding the demographic composition of all boards, planning, and advisory groups must also be readily available.

1.3 Procurement Practices

Service providers are required to take affirmative steps to foster the participation of small, minority, and female-owned businesses whenever they represent a potential procurement source. Strategies to enhance equitable opportunities include, but are not limited to:

- Placing qualified small, minority and female-owned businesses on solicitation lists;
- Utilizing the services and assistance of the Small Business Administration or appropriate Minority Business Development agencies to identify minority and female-owned businesses capable of delivering required products or services, and
- Dividing bid/procurement specifications into smaller tasks or quantities, when economically feasible to permit maximum participation of small, minority or female-owned businesses.

Career Alliance will monitor the efforts being taken by provider agencies to comply with this requirement.

1.4 Notification of Administrative Enforcement/Lawsuits

Service providers must promptly notify Career Alliance, Inc. of any administrative enforcement actions or lawsuits alleging discrimination on prohibited grounds filed against it and/or any agency it may subcontract with to carry out program services. Such notice must be submitted to:

Ms. Pamela Y. Loving, President/CEO
Career Alliance, Inc., Inc.
711 North Saginaw, Suite 300
Flint, Michigan 48503

Michigan Works! Career Alliance, Inc. EO Officer is to be provided a copy of the notice. Upon receipt Career Alliance, Inc. will notify state and federal agencies as required by the EO regulations and state policy.

II. NOTICE AND COMMUNICATIONS

2.0 POLICY: Service providers must provide initial and continuing notice of their compliance with the nondiscrimination and EO provisions of applicable laws and must comply with all notification requirements for the posting and inclusion of EO policy statements on program documents and materials that are distributed to the public.

2.1 Notice Requirements for Customers, Consumers and Workforce Partners

All individuals, partners, and entities seeking to access workforce services administered by Career Alliance must be provided notice that highlights the grounds on which discrimination is prohibited; summarizes the process for filing a complaint; and lists the name of the person designated by Career Alliance to receive complaints and/or complaint-related inquiries. Such notice must be disseminated to:

- All registrants, applicants, and eligible applicants/registrants;
- Participants;
- Employees and applicants for employment;
- Other provider agencies, vendors, and entities that receive or submit an application to receive state or federal contract or grant funding;
- Unions and professional organizations holding collective bargaining and/or professional agreements; and
- Members of the general public, including individuals with impaired vision and hearing.

Service providers must make sure that the participant file includes verification of receipt of the EO notice (**See Attachment A**). Service providers are to use the participant signature version of the notice provided by Career Alliance in complying with this requirement. In cases where the notice is disseminated in an alternative format to meet the needs of individuals with disabilities the provider must develop a means by which to document that the notice was provided in an alternative format.

2.2 Required State and Federal Notices

All service providers must post the “*Michigan Law Prohibits Discrimination*” poster issued by the Michigan Department of Civil Rights and must comply with the posting requirements of **each** of the federal agencies granting workforce funding to their agency by displaying as appropriate the:

- “*Equal Opportunity is the Law*” poster required by USDOL;
- “*And Justice for All*” poster required by the USDA, and
- “*Equal Employment Opportunity is the Law*” poster published by the EEOC or a locally developed notice to meet the posting requirement established by HHS.

2.3 Posting Requirements

All required posters must be:

- Displayed prominently and in reasonable numbers in administrative offices and all agencies where training and/or services are provided;
- Posted in areas where employee notices are regularly posted;
- Made available in formats suitable to individuals with visual impairments; and
- Disseminated in languages other than English where significant portions of the eligible population needs information in alternative language formats.

Required posters must be displayed in regulation size in all public-viewing areas. For administrative offices and employee bulletin boards, the standard size version of the notice may be utilized. To meet USDOL posting requirements, DLEG has published the state’s version of the “Equal Opportunity is the Law” poster in Arabic, Chinese, English, Hmong, Russian, Serbo-Croatian, Spanish, and Vietnamese. Copies of the posters are available from Career Alliance upon request.

2.4 Other Required Methods of Notice Dissemination

In addition to displaying the posters, service providers must assure that appropriate notice is:

- Disseminated in internal memoranda and other written communications;
- Included in handbooks and manuals;

- Included on all recruitment brochures, media messages and other materials distributed to the public to describe agency programs, activities, and/or participation requirements;
- Posted on internet sites and other electronic communication networks; and
- Referenced on all employment notices, application forms and related pre-employment documents.

Where space permits, it is recommended that service providers use an appropriate full statement of EO compliance and are encouraged to use language from their agency mission or official EO policy statement in complying with this requirement.

2.5 Notice Requirements for Public Documents, Publications and Media Messages

Where space is limited on program promotion and other selected agency publications, the notice requirement may be met through the use of EO taglines stating that the agency is an **“Equal opportunity employer/program,”** and that **“Auxiliary aids and services are available upon request to individuals with disabilities.”**

Documents that must carry an EO notice or the tagline(s), as appropriate, include, but are not limited to:

- Agency Letterhead;
- Request for Proposals;
- Brochures and Pamphlets;
- Meeting Notices;
- Customer Program Application Forms;
- Employment Application Forms;
- Participant/Employee Recruitment Materials;
- Locally Developed Training Materials;
- Participant/Employee Recruitment Materials;
- Powerpoint Presentations Used for Public Presentations;
- Public Service Announcements, Advertising, Press Releases, Media Messages and Broadcasts;
- Internet and Electronic Communications, and
- Other routine agency communications released to the general public.

Where publications, program promotion materials or other routine documents lists a telephone number where the service provider can be contacted for information regarding agency programs and services, the service provider must also provide a TTY or the Michigan Relay Center toll-free (1-800-649-3777) or 711 numbers.

2.6 Publication Standards

Service providers must additionally ensure that publications, which include photographs and other visual illustrations, portray positive images of women, minorities, and individuals with disabilities engaged in a variety of workplace and skill training capacities. Effort must be taken to ensure that nothing suggests by text or illustration that the service providers treats any employee, applicant for employment, beneficiary, applicant or participant differently on any prohibited ground. In written policies and other forms of communications, service providers must use "people first" language that inclusive and respectful of the disability community. Use of the term "handicapped" is unacceptable and may not be used.

2.7 Notice Requirements for Public Presentations and Orientation Sessions

Orientation sessions held for program participants, new employees, and others must include a discussion of the universal access features of the state's workforce system and the provider's commitment to EO in all aspects of service delivery. Such sessions must additionally reference rights extended under the EO and nondiscrimination provisions of workforce programs, including the right to file a complaint of discrimination at the MWA, state, and/or federal level.

III. ASSURANCES AND EO POLICY DEVELOPMENT AND TRAINING

3.0 POLICY: Service providers must ensure the inclusion of an assurance of nondiscrimination in contract documents must adopt EO policy communications and provide training on all facets of its EO/customer service strategy to its staff and personnel who have direct contact with persons needing assistance.

3.1 Assurance of Nondiscrimination in Contracts, Grant Agreements, and Applications for Funding Assistance

All contracts (including contracts establishing on-the-job training positions), grants, cooperative agreements, applications for financial assistance or other funding arrangements used by service providers must contain an assurance of nondiscrimination in the provision of service, employment practices and in all terms, conditions and privileges of employment. Contracts and other funding instruments used for WIA must additionally ensure full compliance with Section 188 of the Act and include (or incorporate by reference) the assurance found at 29 CFR§37.20(a) (1) of the WIA EO regulations.

3.2 EO Policy Development

All service providers, as part of their continuing commitment to EO, are required to adopt and publish:

- A general nondiscrimination policy statement expressing commitment to the principles of EO and the prohibition against discrimination on any prohibited ground in both the provision of services and in access to employment, and

- A discriminatory harassment policy statement that conveys zero tolerance for discriminatory and sexual harassment in the delivery of workforce and related training and services.

Policy statements must be signed by the provider's highest-level administrative official and/or be adopted by action of the agency's governing board.

3.3 Other EO-Related Policy Development and Training

Service providers are also expected to develop other EO policy communications, as necessary, to ensure that staff of their agency are aware of service protocols and the procedures to follow to ensure access and inclusion for persons with disabilities, individuals who are limited English proficient, or customers who may need religious accommodations or other assistance to effectively utilize and participate in provider programs. It is the provider's obligation to ensure that all staff have been trained and are aware of such policies and procedures. Evidence that documents the provision of EO and diversity-related training and access to resources/tools necessary to carry out EO responsibilities must be retained on file for review during the compliance review process.

IV. UNIVERSAL ACCESS REQUIREMENTS

4.0 POLICY: Service providers must provide universal access to local programs and ensure that effective outreach efforts are being taken to broaden the participation of members of sexes, the various racial, ethnic, age groups, and individuals with disabilities in local programs. Service strategies must also be implemented to ensure meaningful access to programs and activities by persons with limited English speaking proficiency.

4.1 Attainment of EO Benchmark Goals

To ensure minimum standards of universal access to, and participation in WIA programs by EO protected classes, service providers must implement service plans to achieve the minimum percentile goals established for the program participation of females, African Americans, Hispanics, American Indians, Asians, individuals with disabilities, and persons aged 55 to 64 in WIA Adult, Youth and Dislocated Worker programs. The benchmarks, established by the state, rely on relevant labor force statistics and Census data, published in the Annual Planning and Information Report, to determine benchmark goals that reasonably represent the demographic characteristics of protected groups within the geographic area.

Each service provider operating WIA programs will have EO service benchmarks included in the contract agreement negotiated with Career Alliance, Inc. Agency performance in meeting the established goals will be reviewed on a quarterly basis.

4.2 Outreach and Recruitment Plan

Service providers, in addition to developing strategies to meet EO benchmark goals, are required to develop an outreach/recruitment (marketing) plan. The plan must address outreach to minority and other protected and target group communities and must reference the following:

- Activities (i.e., community presentations, job fairs, speaking engagements, public service announcement, letter campaigns, billboards, etc.) that will be initiated to ensure that all substantial segments of the population are reached with information concerning WIA and other workforce services;
- The name and address of any minority, female, aging, or disability publications, newspapers, radio and/or television programs that will be used to advertise programs and services;
- Agency memberships or associations with organizations serving minority, female, aging, disability, or target group populations; and
- Names and addresses of community organizations serving minority, female, aging, youth, and disability populations, which the agency maintains referral linkages, shares information, and/or includes on mailing lists to receive Request for Proposals and related program recruitment materials.

SERVICE PROVISION TO LIMITED ENGLISH PROFICIENCY (LEP) CUSTOMERS

4.3 State Standards for LEP Service Provision

As part of the continuing obligation to provide universal access and to comply with Title VI requirements, service providers must provide language assistance services and implement reasonable measures to ensure meaningful access to programs and activities by individuals with limited English proficiency. To achieve this standard, service providers must ensure that LEP customers are able to receive adequate information about programs and services; understand the benefits of the programs and services available; receive the benefits of programs and services for which they are eligible, at no charge, and effectively communicate the relevant circumstances of their service providers.

4.4 Assessment of Language Assistance Needs

- 4.4.1** According to the United States Census Bureau, 2005 American Community Survey Data Profile Highlights, data shows that Genesee County has the following general characteristics: White or Caucasian 75.8%, Black or African American 19.9%, Hispanic or Latino 2.4%, American Indian or Alaska Native 0.3%, Asian 1.0%, Native Hawaiian and other Pacific Islander 0% and other races indicate 0.9%. In Shiawassee County, the following general characteristics: White or

Caucasian 97.7%, Black or African American 0.2%, Hispanic or Latino 2.0%, American Indian and Alaska Native 0.6%, Asian 0.3%, Native Hawaiian and other Pacific Islander 0% and other races indicated 0.3%.

Based on the 2005 Census report, the predominate languages are English and Spanish. Therefore, these are the LEP individuals eligible to likely to be directly affected by the service provider's programs or activities;

- 4.4.2 According to the Management Information System (MIS) data for program year 2005-2006 indicated that 334 were LEP individuals that came in contact with the service provider's programs and activities;
- 4.4.3 The nature and importance of Career Alliance offers Workforce Investment Act (WIA), Temporary Assistance for Needy Families (TANF), Food Assistance Employment and Training (FAE&T), Reed Act, Trade Act, State of Michigan General Fund/General Purpose (GF/GP) Funded Programs Administered by the Michigan Department of Labor & Economic Growth/ Bureau of Workforce Programs (DLEG/BWP), Wagner-Peyser Act and other programs and services to accommodate all individuals.
- 4.4.4 The resources available to the service providers includes bilingual staff, staff interpreters, contract interpreters, community volunteers, telephonic interpreter services in order to meet individual needs within a reasonable standard of promptness.

4.5 Standards for Oral Translation Services

Service providers must ensure that oral interpretation services are readily available, during all hours of agency operations and that only trained and qualified interpreters are used to provide such services. The requirement to be "qualified" encompasses more than the interpreter's self-identification as a bilingual speaker. To be qualified, the interpreter must have:

- Demonstrated ability to accurately convey information in English and the target language;
- Fundamental knowledge, in both languages, of any specialized terms or concepts particular to the provision of program services and activities provided by the agency;
- Orientation and training on the skills and ethics of interpretation (i.e. issues of confidentiality), and
- Knowledge of, and sensitivity to, the culture of the LEP population(s) for which translation services are provided.

Service providers must include in their language assistance plans a discussion of the means by which the agency assesses and/or documents the competency status of staff and other persons used to provide oral translation services.

4.6 Use of Community Volunteers for Oral Translation Provision

Service providers electing to incorporate the use of community volunteers into their language assistance strategy must ensure that formal arrangements are made; that volunteers are qualified (as defined above) and understand their role and obligations to maintain impartiality and customer confidentiality.

4.7 Use of Family, Friends and Minor Children as Interpreters

Service providers are prohibited from requiring, suggesting or otherwise encouraging LEP persons to use family members, friends or minor children to aid in facilitating communications with agency or provider staff. Service providers may however include in their local service strategy provisions that would allow an LEP person who **voluntarily chooses** to provide his or her own interpreter to do so if:

- The service provider has informed the LEP person of their right to free interpreter services;
- The LEP person declines such services and specifically requests the use of an adult family member or friend, and
- The service provider determines that use of the requested interpreter will not compromise the effectiveness of the services or violate the LEP person's confidentiality.

When using a family member or friend, service providers must document the offer of free interpreter services and the LEP person's decision to decline the offer in the customer's file. Local guidelines regarding this process must be detailed in the language assistance plan/internal procedures and recipients are to include provisions that would allow, a trained interpreter to sit in on such encounters, as locally-deemed appropriate, to ensure accurate interpretation. **Under no circumstances are minor children to be used to provide oral translation services.**

4.8 Guidelines for Written Translations/Safe Harbor Provisions

Service providers must ensure that vital documents are translated into each regularly encountered language spoken by groups eligible to be served or likely to be directly affected by the service providers' programs or activities. In complying with this standard, service providers may at their option, rely on the general guidelines or safe harbor provisions, established in federal LEP guidance. The safe harbor provisions suggest that recipients:

- Provide written translations of vital documents for each eligible LEP language group that constitutes five percent or 1,000 persons (whichever is less), of the population of persons eligible to be served or likely to be directly or significantly affected by the provider's program or activity, and
- Issue written notice of the right to receive competent oral interpretation of written materials, free of charge, in the primary language of affected LEP groups, when the language group reaches the five percent trigger, but constitutes fewer than 50 persons.

The safe harbor provisions apply to the translation of written documents only: they do not affect the requirement to provide meaningful access to LEP persons through competent oral interpreters where oral language services are needed to facilitate communications.

4.9 LEP Accessibility to Website Information

LEP access requirements also apply to materials posted on MWA and provider websites. Entire websites need not be translated however, recipients must ensure that if an English language version of vital information or a vital document is posted, that the same information is available in appropriate languages other than English. If a website includes translated documents, the Home Page, must direct users to the location of such information.

4.10 Staff Training

Service providers must implement measures to ensure that its administrative staff and agencies within its recipient network have an awareness of, and have been provided information about, federal language access requirements. Local training must include:

- A strategy for ensuring that staff, at all levels, have been informed of the Title VI prohibition against national origin discrimination and the state's customer service standards for ensuring meaningful access to LEP populations;
- A plan for management personnel and all staff having direct public/customer contact to obtain thorough knowledge of the LEP service plan and interpreter/translator resources for both commonly and rarely encountered languages, and
- A system for ensuring that staff and others involved in the provision of oral interpretation/written translation services meet established competency standards and are appropriately trained in the skills and ethics of interpretation and culturally appropriate service delivery.

4.11 Monitoring of the Local Language Assistance Plan

Service providers must conduct an assessment of the effectiveness of their language assistance plan on an annual basis to ensure that LEP persons continue to have meaningful access to programs and activities. The annual assessment must:

- Review any changes in LEP demographics in the service area;
- Determine if the scope and nature of existing language assistance services is meeting the communication/service needs of the LEP population, and
- Determine if staff is knowledgeable about policies and procedures and to how to implement them.

For recipients with significant LEP populations, the monitoring approach may also seek feedback from LEP customers, assess staff perceptions on the progress/issues encountered in LEP service provision and solicit, on an on-going basis, input from advocacy and community-based organizations that service LEP communities.

4.12 Assessing Recipient Compliance with LEP Requirements

The nature and scope of language assistance services, it will depend on a variety of local factors. In accessing the MWA, service providers must have compliance with the state's LEP service standard. DLEG will review local documentation to determine whether the recipient has incorporated into its language assistance strategy plan elements that are sufficient in achieving equal and meaningful access by LEP groups based on projected needs and the level of resources identified in the four-factor analysis.

Service providers are encouraged to review the full text of the LEP guidance issued by USDOL and other federal agencies granting funding to their agencies and are urged to review resources available on LEP.gov for possible replication and use in designing and implementing continuous improvement elements to their local LEP service plans.

V. COMPLIANCE WITH PROGRAMMATIC AND ARCHITECTURAL ACCESSIBILITY REQUIREMENTS

5.0 POLICY: Service providers are responsible for operating workforce initiatives in manner that is both programmatically and architecturally accessible to individuals with disabilities. To fulfill obligations, service providers must be able to demonstrate how, **when viewed in their entirety**, their programs, services, and activities are readily accessible to and useable by individuals with disabilities. Service providers must also comply with the program/architectural accessibility standards, communications and employment practice provisions imposed by Section 504 of the Rehabilitation Act and the ADA.

5.1 Prohibition Against Disability Discrimination

Service providers are prohibited from discriminating on the basis of disability in the delivery of any aids, benefits or services offered by their agency, in their employment practices and in the registration for core, intensive training, and support services provided under WIA. In operating programs, recipients may not deny a qualified individual with a disability the opportunity to participate or impose eligibility criteria that screen or tends to screen out individuals with disabilities. Service providers must also adhere to the prohibitions against discrimination on the basis of disability referenced in federal regulations.

5.2 Most Integrated Setting

Service providers must administer programs in integrated settings which, from a workforce development perspective, means that service providers must not only provide access, but must operate training and related services in environments that maximize inclusiveness and enable individuals with disabilities to interact with people who are not disabled. Service provider programs must have the capacity to serve individuals across the full spectrum of physical, mental, cognitive and sensory disabilities. Automatic referral of individuals with disabilities to Michigan Rehabilitation Services, the Commission for the Blind or to other disability-specific training programs or agencies is prohibited.

5.3 Reasonable Accommodations

Service providers must make “reasonable accommodations” to the known physical or mental limitations of otherwise qualified individuals with disabilities, unless the service provider can show that the requested accommodations would impose an undue burden. Written procedures describing the service provider’s accommodations policy (for participants, employees and the general public) must be adopted. Procedures must include provisions for:

- Restructuring job or training programs;
- Developing modified work or training schedules;
- Altering assessment/testing techniques which prevent the fair evaluation of skills;
- Providing auxiliary aids and services;
- Acquiring or modifying equipment or devices; and
- Making necessary alterations to the work or training site to ensure that facilities are accessible to individuals with disabilities.

In addition to the provision of reasonable accommodations, service providers must make reasonable modifications to agency policies, practices and procedures when requested, unless the provider can demonstrate that such modifications would result in a fundamental alteration in the nature of their program activity or service. Written procedures must reference this provision (**See Attachment B**).

Service providers must also ensure the dissemination of both public and internal notice of the accommodations process.

5.4 Processing Accommodation Requests

An individual with disability is responsible for requesting needed accommodations. Each accommodation request must be evaluated on a case-by-case basis, taking into consideration the requester's abilities and limitations due to the disability and the essential functions associated with the activity, training, program, service, facility or employment opportunity he/she is seeking to access.

Individuals, including applicants, participants, registrants, employees, applicants for employment and the general public in need for assistance must:

- Identify as a person with a disability who is in need of accommodation;
- Complete the appropriate Request for Accommodation Form, or make a verbal request;
- Submit the completed form or make their verbal request to the MWA's EO Officer or the service provider's EO Liaison/Reasonable Accommodations Coordinator;
- Provide applicable medical documentation and clarifying information for review and processing, if requested by staff responsible for processing the request.

5.5 Standards for Determining Undue Hardship/Fundamental Alteration

Federal regulations stipulate that recipients are not required to take any action that they can demonstrate would result in undue hardship or in a fundamental alteration in the nature of their program activity or service. Service providers that receive a request for reasonable accommodations that they have reason to believe might impose an undue hardship/fundamental alteration to their program must immediately notify Career Alliance and provide the agency's President/Chief Executive Officer with a written rationale and documentation supporting their initial determination. The written rationale must identify:

- The type of accommodation requested;
- The net cost of the accommodation;
- The overall size of the provider agency;
- The overall financial resources the service provider has available and the individual facility or facilities that would be involved in the accommodation;

- The effect that providing the accommodation would have on the service provider's or the facility's ability to service other customers and the service provider's or facility's ability to carry out its mission.

Career Alliance executive officials will make the final determination as to whether an accommodation request creates an undue hardship. If such hardship is determined, Career Alliance will provide the requestor with written notification, as required by federal regulations/state policy and will work with both the requestor and the service provider to identify an alternative accommodation or service that would not result in an undue hardship or fundamental changes in the nature of the program activity.

5.6 Communications with Individuals with Disabilities

Service providers must take appropriate steps to ensure that communications with individuals with disabilities are as effective as communications with others. To demonstrate compliance, service providers are required to:

- Have access to a TTY, or other equally effective telecommunications device, to facilitate communications between their program and individuals with hearing or speech impairments;
- Make auxiliary aids and services (i.e., taped texts, computer-assisted transcription services, telephone handset amplifiers, Braille or large print texts, audio recordings or readers) available, where necessary, to assist individuals in need of such services in accessing all phases of program delivery;
- Provide individuals with disabilities the opportunity to request the auxiliary aids and services of his/her choice and give that choice primary consideration in processing the request;
- Maintain on-site, assistive technology devices and other resources that will enhance and be useful in meeting the provider's obligations to ensure that agency services are programmatically accessible to individuals with disabilities;
- Establish specific arrangements (i.e., contractual or letter agreements, memorandums of understanding, or resource listings) to ensure that an accommodations request for a qualified interpreter can be made within a reasonable standard of promptness.

In developing arrangements for interpreter services, service providers must ensure that their written agreements specifically address the terms and conditions under which the Interpreter is available. Resource listings, if utilized, must specify the order in which Interpreters are to be called and must reference the understanding the individual has with each listed provider regarding the terms of their service provision. In setting up arrangements, providers are reminded that signing and interpreting is not the same thing.

Service providers should refer to the definition of a qualified interpreter to ensure that their arrangements are in compliance with standards specified in the regulations.

5.7 Employment and Training-Related Employment Practices

Service providers are prohibited from discriminating in their employment practices or in the terms, conditions, and privileges of employment. The personnel and labor relations policies and procedures developed by provider agencies must reflect adoption of employment practices consistent with the equal opportunity and nondiscrimination provisions of applicable state and federal laws. Service providers must also:

- Periodically review the appropriateness of all job qualifications to ensure that such qualifications are related to job performance and are consistent with business necessity and safe performance;
- Ensure that staff are appraised of the conditions under which it is permissible to make disability inquiries within the context of providing services, meeting federal data collection requirements, determining eligibility for special programs or in providing accommodations necessary to access program services;
- Refrain from asking job applicants whether they have a disability or making inquiries which might elicit a disclosure about a disability during agency employment selection processes or when performing pre-employment screening and related interview functions on behalf of local employers;
- Comply with disability requirements regarding the standards for pre-employment medical examinations, and
- Ensure that disability disclosures and all information concerning the medical condition or history of applicants, participants, and employees, including information voluntarily disclosed, is treated as confidential medical information.

Service providers must also take steps to protect the security of medical records and to ensure that such information is not included in an employee's personnel or a participant's program file. Appropriate notice is to be provided to applicants, participants and employees regarding the manner in which medical documents will be maintained and the personnel who will be afforded access to such records.

5.8 Architectural Accessibility Standards

Service providers must ensure that all aspects of their programs and activities are architecturally accessible to individuals with disabilities. Service providers will have achieved accessibility as long as their programs, when viewed in their entirety, are accessible. Where structural changes to facilities are required, service providers must develop a transition plan with the assistance of interested persons, including qualified

individuals with disabilities. The plan, and the developmental process related to the plan, must meet requirements specified in the regulations.

Service providers must also comply with guidelines for building signage and other postings, which provide direction to, or information about, functional spaces and accessible facilities and programs within buildings. Specifically, service providers must:

- Install the international symbol of accessibility at each primary entrance of an accessible facility;
- Post other appropriate signs and notices at its administrative office(s), training, and/or service site(s), directing individuals with disabilities to designated parking and to accessible secondary facilities (such as rest rooms, lunchrooms, drinking fountains, telephones, etc.); and
- Provide signage at a primary entrance of its inaccessible facilities, directing users to locations where information about accessible services and facilities can be obtained.

5.9 Facility Evacuation Plans

As part of a local facility management program, service providers are required to develop, and post in conspicuous places, evacuation plans which describe the procedures that will be activated in response to emergency situations (i.e., fire, tornado, bomb threat, and other public safety issues) that could involve participants, staff, and visitors to training facilities. Such procedures shall address plans for the emergency evacuation of individuals with disabilities who may need mobility or other assistance. Service providers must also inform individuals with disabilities of the plans for their personal evacuation.

5.10 Self-Evaluation/Disability-Related Policy Development and Training

Service providers are required to conduct a self-evaluation to determine the extent to which current facilities; programs, communication systems (including internet/computer-related applications) and employment practices are in compliance with federal accessibility standards. The self-evaluation must cover all facets of the service providers programs and must be retained on file as evidence of the provider's good faith efforts to comply with disability requirements and for EO compliance purposes.

Service providers, consistent with the provisions of 3.3 of this document, are also required to describe and document internal systems and practices for ensuring the accessibility of individuals with disabilities through the issuance of written procedures. At a minimum, such policies must specifically address:

- Service protocols/written procedures that outline the specific mechanisms that are to be followed in responding to the needs of customers with disabilities;

- Procedures for requesting and processing requests for reasonable accommodations and auxiliary aids and services;
- Arrangements made to ensure the availability and procurement of qualified interpreter services;
- Internal systems for the publication of program materials in alternative format, including descriptions of the methods by which the EO notice and recruitment advertising (for both participants and employees) will be conducted for persons with hearing and visual impairments, and
- Guidelines for facility/site selection for office space, training sites and all agency sponsored functions including meeting, conferences and banquet facilities.

Service providers have a further obligation to ensure that their staff and personnel, whose positions bring them in contact with individuals with disabilities, have received thorough training on agency service protocols.

VI. EO DATA COLLECTION AND RECORD RETENTION REQUIREMENTS

6.0 POLICY: Service providers must collect data and maintain records and be able to provide data and reports, as necessary, to determine compliance with the EO and nondiscrimination requirements of workforce programs administered by their agencies.

6.1 General EO Data Collection and Reporting Requirements for WIA

Information regarding the race/ethnicity, sex, age, and where known, disability status of all individuals accessing training and/or workforce services, must be collected, maintained and entered on the Management Information System (MIS) in accordance with instructions detailed in the Participant Information Guide (PMIG). As specified in the PMIG, EO data for WIA programs is to be collected and entered on the MIS for every individual who:

- Is interested in being considered for a WIA Title I financially assisted aid, benefit, service or training; and
- Has signified that interest by submitting personal information in response to a request by the contract agency.

The MIS pre-registration screen has been designed to capture the information required to meet WIA EO reporting requirements. For reporting purposes, race/ethnicity is to be recorded utilizing the Office of Management and Budget definitions of ethnic identification.

6.2 General EO Data Collection and Reporting Requirements for TANF and other Workforce Initiatives

EO data for Work First, and the Food Assistance Employment and Training Program is to be entered on the MIS at the point the customer is enrolled in program services. EO data collection for the Wagner-Peyer employment service to be entered on the Mediated Services Reporting System, at the point of registration for staff-assisted services.

6.3 Employment-Related Data Collection Requirements

In addition to EO program-related data, service providers must collect and be prepared to provide Career Alliance, Inc., the state and/or federal agencies with employment-related data to assess whether employment opportunities are accessible to individuals on an equitable basis. Service providers must ensure that the following information documenting **both** the hiring and personnel management process is retained:

For each applicant for employment:

- The race/ethnicity, sex, age, disability status, of the applicant;
- The date of application;
- The job for which the individual applied; and
- The work history, education, test scores, object/subjective criteria used in the selection process (such as the selection criteria, job posting, position description, and the interview questionnaires, etc.) and the names of the members of the interview committee. The selection committee's written hiring recommendation must also be maintained.

For each employee:

- The date of hire and position;
- Initial rate of pay, as well as the date and amount of any pay increase(s);
- Promotions received, the position, date and amount of salary increase associated with the promotion;
- Training received; and
- Performance appraisal and evaluations

6.4 Confidentiality

Service providers are required to implement systems and practices to safeguard the confidentiality of EO data and to prevent the improper use of such information. EO data collected and maintained by providers is to be used only for the purposes of:

- Record keeping, reporting and determining, as applicable, program eligibility;
- Determining the extent to the agency is operating programs and activities in a nondiscriminatory manner, and
- Other uses authorized by federal grant agencies and/or the EO regulations.

Service providers will have met federal requirements as long as reasonable steps have been taken to ensure that data/records are stored in secure locations and are not available to individuals who are not authorized to have access.

6.5 Record Retention

All applicant, eligible applicant, participant, terminnee, applicant for employment, employee records and other EO program-related documents must be maintained for a period of not less than seven (7) years from the close of the applicable program year.

Records regarding complaints alleging violations of the nondiscrimination and EO provisions of WIA and other grant programs must be maintained for a period of three years from the date of resolution of the complaint (modify and move under discrimination complaints).

VII. PROCEDURES FOR MONITORING EO COMPLIANCE

7.0 POLICY: Career Alliance, Inc. will conduct an annual EO compliance review to assure the maintenance and effectiveness of required EO systems and practices.

7.1 EO Compliance Review

On an annual basis, Career Alliance, Inc. will conduct a general compliance review that will include an assessment of key elements related to the provider's EO management program. The review will specifically focus on:

- Compliance with administrative obligations and other general EO responsibilities;
- EO policy development, procedure dissemination, and staff training;
- Universal access and strategies implemented to ensure meaningful access for LEP clientele;

- Compliance with disability program and general accessibility requirements;
- EO data collection and record maintenance, and
- Equal Employment Opportunity (EEO) provisions, personnel policies and staff composition.

Following completion of the compliance review, Career Alliance, Inc. will issue a monitoring report to transmit identified findings and if necessary, request corrective action. Service providers will be given **30 days** to respond to the findings. Follow-up, when necessary will be conducted by Michigan Works! Career Alliance's EO Officer to ensure the continued implementation of applicable corrective action measures.

7.2 Other Reviews and Investigations

If required, Career Alliance, Inc. may conduct other reviews, as necessary to determine EO compliance, including:

- Facility reviews to assess agency compliance with technical specifications and architectural requirements detailed in the Americans with Disability Act Accessibility Guidelines (ADAAG) or the Uniform Federal Accessibility Standards (UFAS);
- Technical reviews of selected program components to ensure that applicable content elements are included in agency plans and that policies and procedures are nondiscriminatory, and
- Specialized reviews or special investigations to assess the efficiency and/or propriety of local practices. Such reviews, if conducted, will be initiated to respond to situations involving potentially serious infractions.

A follow-up review may also be made if adverse findings are identified by the state as part of the DLEG's Mystery Shopper/Mystery Stopper program. Service providers may also be subject to compliance reviews conducted by DLEG and/or federal civil rights agencies.

VIII. DISCRIMINATION COMPLAINT PROCEDURES

8.0 POLICY: Service providers must comply with all public and internal agency discrimination complaint notification procedures, disseminate complaint filing information, participate in early dispute intervention services and fully cooperate with Career Alliance, Inc., state and federal agencies in the event a complaint of discrimination are filed with their agency.

8.1 Review of the Uniform Statewide Discrimination Complaint Procedures

Service providers who receive federal financial assistance are prohibited from discriminating against members of the public, applicants for services, registrants, participants, claimants, applicants for employment, and employees on the basis of race, color, religion, national origin, age, sex, (including pregnancy), height, weight, marital, familial or veteran's status, physical or mental disability, political affiliations, beliefs, sexual orientation, or any other characteristic or activity protected by federal or state laws and regulations. In addition, discrimination is prohibited against any individual or beneficiary of WIA programs on the basis of the beneficiary's citizenship status as a lawfully admitted immigrant authorized to work in the United States, and on the basis of the individual's participation in any WIA Title I financially assisted program or activity.

8.2 Complaint Filing Basis

Any person, who believes that he/she or any specific class of individuals, has been or is being subjected to discrimination, may file a complaint, either by him/herself, or by representative, within **180 days** of the alleged act(s) of discrimination. Complaints may be filed with the Career Alliance, Inc. EO Officer or with state/federal agencies.

8.3 Provider Discrimination Complaint-Related Responsibilities

To meet standards established in the state's uniform discrimination complaint procedures and to comply with Career Alliance, Inc. requirements, service providers must:

- Notify all individuals/entities accessing workforce development services of their right to file a complaint of discrimination with Career Alliance, Inc. EO Officer, or with DLEG or with the appropriate federal civil rights enforcement agency;
- Provide interested persons or parties, upon request, with a copy of the ***Discrimination and Harassment Complaint Procedures Packet*** that includes the specific instructions, timelines and forms that are to be used to file a complaint of discrimination with the agency of their choice;
- Discuss with potential complainants the various options for complaint resolution, including the provision of initial intervention services, to avert and/or resolve complaint issues prior to the submission of a written complaint;
- Ensure that staff supported with federal funds are informed of, and given the option to use, DLEG and/or federal agency discrimination complaint procedures, should they elect to, in lieu of any procedural mechanisms which may be available through the service provider's internal administrative complaint procedures;
- Refer persons interested in discussing EO, equity, inclusion or disability access issues to Michigan Works! Career Alliance's EO Officer, and

- Provide Career Alliance, Inc. EO Officer with **immediate notification**, upon receipt of a written (signed) complaint of discrimination.

Service providers are also responsible for fully cooperating with Career Alliance, Inc., the state and/or federal agencies, to facilitate the investigation and resolution of any complaints alleging discrimination or EO violations. As part of this obligation, service providers may be required to participate in ADR sessions, prepare complaint-related agency position statements, and provide testimony and/or documents requested as part of an EO investigation.

8.4 Prohibition Against Retaliation

Service providers are **strictly prohibited** from retaliating against anyone who files a complaint of discrimination, who supports or assists another individual in pursuing a complaint or who participates in any other manner in the review or investigation of a complaint of discrimination. Persons alleging retaliatory action have the right to file a separate complaint with the MWA's EO Officer and claims of retaliation, if true, will subject violating agencies to corrective action and/or sanctions by Career Alliance, Inc.

8.5 Discrimination Complaint Packet

Copies of the *Discrimination Complaint Procedures Packet* (See Attachment C) and instructions/forms are available from Career Alliance, Inc. EO Officer. Service providers are responsible for ensuring that adequate supplies of the discrimination complaint instructions in accessible alternative formats and languages appropriate for LEP clientele are available for distribution at their agency.

IX. EO CORRECTIVE ACTION AND SANCTION PROCEDURES

9.1 Remedial Action for EO Noncompliance

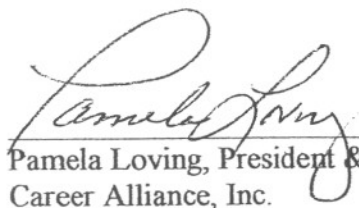
Career Alliance, Inc. will provide appropriate technical and resource assistance to aid provider agencies in correcting any EO performance deficiencies, which may be identified through any of the monitoring mechanisms, described in Part VII of this guide. As long as a provider is willing to engage in voluntary compliance efforts or is implementing an agreed upon corrective action plan, progressive disciplinary action will be avoided. Where Career Alliance, Inc. finds that a service provider has failed or refuses to correct EO violations that would move the provider into compliance, sanctions may be imposed. Such sanctions may include, but are not limited to: required revision to provider EO policies/management systems, mandatory staff training, and suspension or temporary withholding of grants funds (see chart of sanction attached). Where warranted, serious infractions and/or failure to appropriately address adverse findings may result in termination of federal funding.

In cases where allegations filed in a complaint of discrimination are investigated by Career Alliance and the findings provides reasonable cause to believe that a violation has occurred, Career Alliance will initiate action to (1) remedy any adverse action experienced by the complainant through retrospective or "make whole" remedies and (2) correct technical violations or EO management deficiencies to ensure that discrimination or EO violations do not reoccur (prospective remedies)

Such remedies may include, but are not limited to:

- Restoration of workforce services discriminatorily denied;
- Hire, reinstatement, retrospective seniority, promotion, or benefits (such as back pay with interest, front pay, or other monetary relief);
- Repeal or modification of policies/procedures shown to be discriminatory and
- EO diversity or other training, as appropriate for service provider staff and their partners.

In cases where DLEG conducts a discrimination complaint or special investigation and finds reasonable cause to believe allegations of discrimination, Career Alliance will forward the provider agency notice of the state's determination and provide the affected agency an opportunity to submit a written response to Career Alliance that addresses each of the issues/findings identified by the state. Other due process mechanisms and the opportunity to work with Career Alliance to respond to and address the state's findings may also be provided.


Pamela Loving, President & CEO
Career Alliance, Inc.

1.19.07
Date

Equal Opportunity is the Law

It is against the law for this recipient of Federal financial assistance to discriminate on the following bases:

- Against any individual in the United States, on the basis of race, color, religion, sex, national origin, age, disability, political affiliation or belief; and
- Against any beneficiary of programs financially assisted under Title I of the Workforce Investment Act of 1998 (WIA), on the basis of the beneficiary's citizenship/status as a lawfully admitted immigrant authorized to

work in the United States, or his or her participation in any WIA Title I-financially assisted program or activity.

The recipient must not discriminate in any of the following areas:

- Deciding who will be admitted, or have access, to any WIA Title I-financially assisted program or activity;
- Providing opportunities in, or treating any person with regard to, such a program or activity; or
- Making employment decisions in the administration of, or in connection with, such a program or activity.

What to Do If You Believe You Have Experienced Discrimination

If you think that you have been subjected to discrimination under a WIA Title I-financially assisted

program or activity, you may file a complaint within 180 days from the date of the alleged violation with either:

Mildred E. Williams, Equal Opportunity Officer
Workforce Programs, Michigan Department of
Labor & Economic Growth
201 North Washington Square, 5th Floor
Lansing, Michigan 48913
517-373-7675 (Voice), 1-888-605-6722 (TTY)

or

Annabelle T. Lockhart, Director
Civil Rights Center (CRC)
U.S. Department of Labor
200 Constitution Avenue NW, Room N-4123
Washington, D.C. 20210

If you file your complaint with the recipient, you must wait either until the recipient issues a written Notice of Final Action, or until 90 days have passed (whichever is sooner), before filing with the Civil Rights Center (see address above).

If the recipient does not give you a written Notice of Final Action within 90 days of the day on which you filed your complaint, you do not have to wait for the recipient to issue that Notice before filing a complaint with CRC.

However, you must file your CRC complaint within 30 days of the 90-day deadline (in other words, within 120 days after the day on which you filed your complaint with the recipient).

If the recipient does give you a written Notice of Final Action on your complaint, but you are dissatisfied with the decision or resolution, you may file a complaint with CRC. You must file your CRC complaint within 30 days of the date on which you received the Notice of Final Action.

For additional information regarding rights under programs operated by this agency or to file a complaint at the local level, contact:

Nancy Osipo-Peera, EEO Officer or William Hetchler, Alternate EO Officer
Michigan Works! Career Alliance, Inc.
711 North Saginaw Suites 300 Flint, MI 48503
810-233-5974 Ext 352
810-233-4242 TTY

Certification of Notice Receipt

This is to certify that I have read and received a copy of the "Equal Opportunity is the Law" notice and that I am aware of my rights to file a complaint alleging violations at the local, state, or federal level.

Name (Please Print) _____

Signature _____

Date _____

**MICHIGAN
WORKS!**

is an equal opportunity employer/program.
Auxiliary aids and services are available upon request to individuals with disabilities.
2/2006 0802-585 R Workforce



**GENESEE/ SHIAWASSEE COUNTY
REQUEST FOR RESONABLE ACCOMMODATION**

Date: _____ Organization: _____

Name of Person Requesting Accommodation: _____

Address: _____

Phone or TTY number _____ Other Contact: _____

I am requesting accommodation because (check one):

() I am applying for services and/ or employment and the accommodation will allow me to complete the application process:

() I am currently employed by _____ and request a reasonable accommodation. My job title is _____

Describe the functional limitation(s) caused by your disability for which you are requesting the accommodation:

Describe any accommodation(s) which you believe would assist you in (a) the application process, or (b) performing your job. If it is piece of equipment, include any available information about name of the device, brand, source, cost, etc:

Describe how this accommodation will assist you:

Describe any accommodation which you have used in the past for the same disability:

Official Use Only:

☐ Has already been provided ☐ Approved ☐ Denied

Reason for Denial:

If the requested accommodation is denied because of undue hardship, an explanation of the undue hardship, signed by the EO Liaison and Executive of the service provider must be attached. If the service provider and equally effective reasonable accommodation, that accommodation is:

Signature of EO Liaison: _____ Date: _____

Individuals experiencing problems in receiving a response to a request for reasonable accommodation, who disagree with the action(s) taken by the providing agency or think they may have been subjected to discrimination on the basis of disability should promptly notify:

Nancy Osipo-Peera or William Hechler
Career Alliance, Inc.
711 North Saginaw Suite 300
Flint, MI 48503
810-233-5974 Ext 352
810-233-5518 FAX
810-233-4242 TTY

Npeera@careeralliance.org or WHechler@careeralliance.org



**GENESEE/ SHIAWASSEE COUNTY
DISCRIMINATION AND HARASSMENT COMPLAINT PROCEDURES**

Michigan Works! Career Alliance, Inc is committed to the principles of equal opportunity and nondiscrimination in the provision of programs and services administered by this agency and its service provider network. In carrying out this commitment, Career Alliance, Inc. requires the equitable treatment of all persons in the opportunity for employment, as well as access to, and receipt of, program services without discrimination on the basis of individual's race, color, religion, national origin, age, sex, (including pregnancy), height, weight, marital, familial or veteran's status, physical or mental disability, political affiliations, beliefs, sexual orientation, or any other characteristic or activity protected by federal or state laws and regulations prohibited by law.

If you believe you have been discriminated against by a Service Provider that receives financial assistance from Career Alliance, Inc, you or (your authorized representative) may file a complaint within **180 calendar** days from the date of the alleged act(s) of discrimination.

To file a complaint with Career Alliance, Inc, complete the attached *Complaint Information Form (CIF)* or submit a letter which:

- Includes your name, address, telephone number(s) and the most convenient time and place to contact you;
- Describes the basic issues, actions or events that you believe were discriminatory;
- Identifies the agency, program, and/or individuals who allegedly discriminated against you;
- Includes the date(s) alleged discriminatory actions occurred;
- Identifies the basis (i.e. race, age, disability status, etc.) on which you believe discriminatory actions were taken; and
- Provide other relevant facts or information that may be useful in reviewing your charges.

Forward a signed (original signature) copy of the CIF or your written correspondence to:

Nancy Osipo-Peera, EO Officer
711 North Saginaw Suites 300
Flint, MI 48503
810-233-5974 Ext 352 (Voice)
810-233-4242 (TTY)

Bill Hetchler, Alternate EO Officer
711 North Saginaw Suites 300
Flint, MI 48503
810-233-5974 Ext 169 (Voice)
810-233-4242 (TTY)

After an initial review, if a decision is made to investigate your complaint further, you will receive an acknowledgement letter within **10 calendar days** of complaint receipt. In the event your complaint is not accepted for review, you will receive a letter explaining why and the notice of actions you may take to have the initial determination, issued by this office, reviewed by the Michigan Department of Labor & Economic Growth.

In cases where your complaint alleges discriminatory actions and/or raises issues regarding possible violations implemented by this office, its agents or governing board in the administration of, or in connection with, the delivery of state and/or federally-funded programs, you may submit a request for direct filing with the Michigan Department of Labor and Economic Growth. Information regarding that process is available upon request.

Individuals who perceive that they have experienced difficulties in accessing programs and services provided by Service Providers, that might be the result of unlawful discrimination or harassment, are encouraged to informally discuss their concerns with the Career Alliance, Inc. Equal Opportunity Officer. The Equal Opportunity Officer can be reached at 810-233-5974 Ext 352 (Voice) or 810-233-4242 (TTY).

Career Alliance Inc. is an equal opportunity employer/program/ Auxiliary aids and services are available upon request to individuals with disabilities.

6. Why do you believe these events occurred?

7. To the best of your knowledge, which of the following workforce programs were involved?
(Check One)

☐ Workforce Investment Act (WIA)
☐ Welfare to Work (WtW)/Work First
☐ Work First/ TANF
☐ Non-Custodial Parent Program
☐ Employment Service
☐ Migrant & Seasonal Farm Workers
☐ Food Assistance Employment and Training
☐ Other: Specify _____

8. Basis of Complaint: Which of the following best describes the nature of the discrimination or harassment?: (Check)

☐ Race: Specify _____
☐ Color: Specify _____
☐ Religion: Specify _____
☐ National Origin: Specify _____
☐ Sex: Specify _____ Male _____ Female
☐ Age: Specify Date of Birth _____
☐ Disability _____
☐ Political Affiliation: Specify _____
☐ Citizenship: Specify _____
☐ Reprisal/ Retaliation _____
☐ Other: Specify _____

9. Have you filed a complaint regarding these issues with another agency?

☐ Yes ☐ No

If yes, please identify:

☐ Civil Rights Division, US Department of Justice
☐ U.S. Equal Employment Opportunity Commission
☐ Other Federal Civil Rights Enforcement Agency (identify) _____

Complaint Number _____

10. For this complaint to be resolved to your satisfaction, what remedies do you seek?

11. Please list below any persons (witnesses, fellow employees, supervisors, or other) that can provide information to support or clarify your complaint:

Name _____ Telephone Number _____
Address _____

Name _____ Telephone Number _____
Address _____

Name _____ Telephone Number _____
Address _____

12. If Career Alliance Inc. finds that it does not have jurisdiction for this complaint, does Michigan Department of Labor and Economic Growth have your permission to refer this matter to the appropriate agency?

____ Yes ____ No

SIGNED (Complaint *NOT VALID* Unless Signed)

DATE _____

**FORWARD COMPLETED COMPLAINT
INFORMATION FORM TO:**

Nancy Osipo-Peera, Equal Opportunity Officer or
William Hetchler, Alternate Equal Opportunity Officer
Career Alliance, Inc.
711 North Saginaw Suites 300
Flint, Michigan 48503



Career Alliance Inc. is an equal opportunity employer/program/ Auxiliary aids and services are available upon request to individuals with disabilities.

4. Excused Absences

Michigan's policy for allowing excused absences from work or from required participation in unpaid work activities is as follows:

- Michigan will count an individual's hours of paid work, including paid holidays and paid sick leave, towards the individuals' work participation requirement.
- Michigan will count an individual's hours of participation in unpaid work, including assigned hours that would have been performed including the following:
 - Regularly scheduled holidays and breaks on which a service provider or program is closed for the assigned activity;
 - A religious holiday or religious observances that are observed by a participant;
 - Observed federal, state, or local holidays; and
 - Beyond paid holidays, a maximum of 80 hours of excused absences in any 52-week period, no more than 16 of which may occur in a calendar month, may be counted towards an individual's hours of federal participation requirements. The individual must have been scheduled to participate in an allowable work activity for the period of the absence prior to the date of the absence. Participants may be excused from more than 16 hours per calendar month on a case-by-case basis; however, any excused hours beyond 16 hours per calendar month may not count towards federal participation requirements.
- Excused absences will be determined on a case-by-case basis. MWA staff shall determine MWA clients' excused absences. The Employment and Life Coach must document the following information in the respective case record:
 - Date of the absence,
 - Reason for the absence,
 - Approval or denial of the absence, and
 - Worker initials or signature and date of determination.

The result of non-compliance will have a real impact on your quality of life.

DESCRIPTION OF PROGRAM ACTIVITIES

Core: Required Activity Non-core: Supplemental Activity

Unsubsidized Employment- Full or Part time employment in the public or private sector (Core)

This means full or part-time employment in the public or private sector that is not supported by TANF or State General Fund/General Purpose (GF/GP) funds. Participation in unsubsidized employment is a fundamental goal for all Work First Program participants to prepare them for self-sufficiency and public assistance case closures.

Self-employment may count as unsubsidized employment. Self-employment may include, but is not limited to, domestic work and the provision of childcare. The following formula will be used to determine if a self-employed participant meets or exceeds required minimum hours of employment necessary to report as unsubsidized employment.

Monthly net business sales (revenues – expenses) divided by Michigan's minimum wage (\$6.95 on October 1, 2006) = total monthly hours. The weekly calculated average hours must equal or exceed the minimum required hours of participation.

The state may verify self-employment with, but not limited to, the most recent W-2 tax return statement, participant income records, copies of personal checks, business receipts, accounting or other business records, or other methods of payment.

Michigan will monitor and report actual hours of participation during the Stratified Simple Random Sample process. System enhancements will be made prior to September 30, 2007, to support collection of actual hours of participation.

A reasonable workplace environment should be provided and training sites must comply with applicable health and safety standards. All work sites and placements must be non-discriminatory in nature and provide equal opportunities for all participants.

Subsidized Public or Private Sector Employment (Core)

This is employment for which the employer receives a subsidy from TANF or GF/GP funds to offset some or all of the wages and costs of employing a recipient.

Subsidized private or public sector employment is to be used only on a limited basis for placement of participants who may have barriers to employment. Subsidized private or public sector employment allows an employer the opportunity to observe how the participant functions in a work environment.

Subsidized private or public sector employment shall be limited to a maximum of 52 weeks. The MWA must provide the necessary supportive services to ensure that the participant is able to successfully complete the probationary period.

Subsidized private or public sector employment may be arranged directly through the employer or through a placement agency. TANF, GF/GP, or other funds may be used to reimburse the employer for the actual wages or salary earned by the participant. The subsidy is not to be used to provide fringe benefits.

If the DHS closes the participant's FIP case, and the placement of the participant into this activity was the result of efforts made by the MWA, the participant may remain in this activity for the remaining balance of their limitation under the Work First Program.

Michigan will monitor and report actual hours of participation during the Stratified Simple Random Sample process. System enhancements will be made prior to September 30, 2007, to support collection of actual hours of participation.

A reasonable workplace environment must be provided and training sites must comply with applicable health and safety workplace standards. All work sites and placements must be non-discriminatory in nature and provide equal opportunity for all participants.

On-the Job-Training (Core)

This applies to individuals who are employees of a public or private employer providing OJT.

Participants receiving OJT will normally have contractual training periods. An OJT contract must be limited to the period of time required for a participant to become proficient in the occupation for which the training is being provided. In determining the appropriate length of the contract, consideration should be given to the skill requirements of the occupation, the academic and occupational skill level of the participant, prior work experience, and the participant's individual employment plan. Unlike subsidized employment, the training provided has the goal of leading to a higher level of job performance and improving particular skills. Reimbursement of training costs may be provided to the employer from external funding sources, which may cover up to 50 percent of a participant's salary. All participants must be supervised by an employer, work site sponsor, or other responsible party no less frequently than daily. Reimbursement of training costs is provided to the employer. Participants may be provided supportive services for up to 24 months, or for the length of the established contract, whichever comes first.

In the event of TANF case closure, payment may continue to be paid to the employer until the OJT contract expires or is terminated by any party. The OJT standards under Subpart B, Section 663.700 through 663.710 of the Federal Workforce Investment Act Regulations, will apply for all Work First participants. An employer, work site sponsor, or other responsible party must supervise OJT daily.

Michigan will monitor and report actual hours of participation during the Stratified Simple Random Sample process. System enhancements will be made prior to September 30, 2007, to support collection of actual hours of participation.

A reasonable workplace environment must be provided and training sites must comply with applicable health and safety workplace standards. All work sites and placements must be non-discriminatory in nature and provide equal opportunity for all participants.

Job Search and Job Readiness Assistance (Core)

This activity involves the act of seeking or obtaining employment, preparation to seek or obtain employment, including life skills training, substance abuse treatment, mental health treatment, or rehabilitation activities for those who are otherwise employable. Job search and job readiness activities must be supervised on an ongoing basis with participation records documented daily.

The “Job Search” aspect means “the act of seeking or obtaining employment,” which should encompass all reasonable job search initiatives. Job searching includes, but is not limited to, making contact with potential employers by telephone, in person, via the Internet, submitting resumes or email applications to apply for job openings and/or vacancies, and interviewing for jobs.

“Job Readiness” involves any activity that prepares individuals to obtain and maintain employment. This entails activities that assist participants in becoming familiar with general workplace expectations, and learning behaviors and attitudes necessary to compete in the labor market. This includes, but is not limited to, preparing resumes or job applications, training in interviewing skills, instruction in work place expectations, and training in effective job seeking.

Job Readiness may also involve substance abuse treatment, mental health treatment, or rehabilitation activities that must be determined necessary by a certified or licensed medical, mental health, or rehabilitation professional through written documentation.

As with all allowable activities, hours spent in substance abuse treatment, mental health treatment, or rehabilitation activities must be documented. If an individual does not have a sufficient number of hours of participation in substance abuse treatment, mental health treatment, or rehabilitation activities alone to comply with his/her required number of work participation hours, a participant may combine the substance abuse treatment, mental health treatment, or rehabilitation activities with other allowable activities.

Per 45 CFR 261.34, an individual’s participation in Job Search and Job Readiness Assistance can count for a maximum of six weeks per fiscal year, of which no more than four weeks may be consecutive. This can be extended to 12 weeks per fiscal year of Job Search and Job Readiness Assistance, of which no more than four weeks may be consecutive, if the state meets the definition of a “needy” state. There are two ways for a state to qualify as a needy state: one based on its unemployment rate, the other based on increases in its Food Stamp caseload (see section 403 (b)(5) of the Social Security Act). As such, Michigan has been deemed a “needy” state and the 12-week limit per fiscal year of Job Search Job Readiness shall be applied. If an individual participates for more than four consecutive weeks or more than the determined total number of allowable weeks in a fiscal year, Job Search and Job Readiness Activities no longer count toward meeting participation

requirements and the individual must be assigned to other Core Activities accordingly.

Michigan determines the number of hours for Job Search/Job Readiness Assistance by counting each hour spent preparing or searching for employment as one hour of participation. Any amount of time spent participating in Job Search/Job Readiness during a week shall be considered one week of participation in Job Search/Job Readiness. Michigan Works! case management staff is required to supervise activities with daily participation records. Sign-in sheets and other attendance recording logs must be maintained at local offices, in participant files.

Michigan will monitor and report actual hours of participation during the Stratified Simple Random Sample process. The sample data elements listed above will be clearly outlined in a monitoring plan developed by both the Michigan Department of Labor & Economic Growth and the DHS by January 1, 2007. System enhancements will be made prior to September 30, 2007, to support collection of actual hours of participation.

A reasonable workplace environment must be provided and training sites must comply with applicable health and safety workplace standards. All work sites and placements must be non-discriminatory in nature and provide equal opportunity for all participants.

Work Experience (Core)

The Work Experience Program (WEP) is an unpaid training assignment, usually best suited for individuals lacking previous employment experience and/or Job Readiness, prohibiting direct placement into Unsubsidized Employment. The goal of the WEP is to improve skills, attitudes, and the general employability of these individuals.

The WEP training assignments are not intended to create employee-employer relationships. The program is intended to benefit participants by providing them with short-term, on-site work experience, which will add to their appeal as potential employees and help them maintain employment once job placement has occurred.

The MWAs shall periodically evaluate the effectiveness of WEP training assignment(s) to assess the participant's readiness for full-time Unsubsidized Employment.

A work site sponsor or other responsible representative is required to supervise Work Experience participants' daily assignments. Also, local case management staff must maintain daily attendance reports to ensure participants are meeting federal work participation requirements.

Training sites for all WEP assignments shall be approved by the MWAs. The MWAs must negotiate the terms for placement of participants at WEP sites in terms of the participants' employment and training objectives.

Michigan will monitor and report actual hours of participation during the Stratified Simple Random Sample process. System enhancements will be made prior to September 30, 2007, to support collection of actual hours of participation.

A reasonable workplace environment must be provided and training sites must comply with applicable health and safety workplace standards. All work sites and placements must be non-discriminatory in nature and provide equal opportunity for all participants.

Community Service Programs (Core)

CSP consist of unpaid activities in the private or public non-profit sector that directly benefit the community serving a useful purpose. The activities should also enhance participant's skills and attitudes related to work. CSP must be designed to improve the employability of recipients otherwise unable to obtain employment and must be supervised on an ongoing basis, no less frequently than daily.

CSP sites shall be approved by the MWAs. The MWAs will also negotiate the terms of the placement of participants at community service sites. An MWA shall take into account, to the extent possible, the prior training, experience, and skills of a participant in making appropriate community service assignments.

In cases where participants have difficulty meeting their required hours of participation, CSP may be utilized to supplement the remaining hours that are needed to fulfill the federal work participation requirements.

Participants enrolled in CSP in conjunction with training or education may count up to 36 months of participation in CSP towards state participation requirements. Participants enrolled in CSP in conjunction with training or education may be provided supportive services for up to 24 months.

An MWA shall only place participants into nonsectarian or nonpartisan activities. If participants are placed in sites with faith-based or political organizations, participation must be voluntary on the part of the participant, and the work activity must be nonsectarian and nonpartisan in nature. An evaluation must be done periodically in order to assess the effectiveness of participants' enrollments in CSP.

Michigan will monitor and report actual hours of participation during the Stratified Simple Random Sample process. System enhancements will be made prior to September 30, 2007, to support collection of actual hours of participation.

A reasonable workplace environment must be provided and training sites must comply with applicable health and safety workplace standards. All work sites and placements must be non-discriminatory in nature and provide equal opportunity for all participants.

Provision of Childcare Services to Individuals Participating in Community Service Programs (Core)

This means providing childcare to enable another TANF recipient to participate in a CSP. Participants in this activity must be supervised on an ongoing basis no less frequently than daily.

Childcare provided to TANF recipients (and others) in other activities typically involves payment for services rendered and is classified as unsubsidized employment. Case managers must ensure the activity is effective in helping move the childcare provider toward self-sufficiency. Training, certification, or mentoring will help make the activity meaningful and may be a first step toward the participant's attainment of employment in the childcare field.

Participants providing the childcare services must collect written certification to document that childcare services were actually provided by them for someone engaged in CSP activities. A "log-sheet" with drop-off and pick-up times, signed by both parties, is an example of such certification. These certifications must be collected by the MWAs in order to verify the hours of participation for individuals providing the childcare. The hours should be cross-referenced with the CSP activity verification to ensure accuracy.

Michigan will monitor and report actual hours of participation during the Stratified Simple Random Sample process. System enhancements will be made prior to September 30, 2007, to support collection of actual hours of participation.

A reasonable workplace environment must be provided and training sites must comply with applicable health and safety workplace standards. All work sites and placements must be non-discriminatory in nature and provide equal opportunity for all participants.

Vocational Educational Training (12-month time limit for all activities) Core

A maximum of 52 weeks of participation in this activity per participant can be counted towards **federal** participation requirements. Limitations on countable participation time towards state requirements are outlined in the following subcategories, for each category of VET. VET is categorized into three groups: Vocational Occupational Training; Condensed Vocational Training; and Internships, Practicums, and Clinicals. These activities are organized educational programs that are directly related to the preparation of individuals for employment in current or emerging occupations requiring training other than a baccalaureate or advanced degree. VET programs should be limited to activities that provide individuals the knowledge and skills to perform a specific trade, occupation, or other particular vocation. VET programs shall not include educational activities leading to a baccalaureate or advanced degree.

Any and all VET must be occupationally relevant and in demand as determined by the MWA. VET participants must be supervised no less frequently than daily. Case management staff must collect attendance reports from the education/training provider to ensure individuals are meeting participation requirements. All actual documentation, including attendance reports, activity records, transcripts, etc., must be maintained in participant case files in the local offices.

All educational training must be provided by education or training organizations, which may include, but are not limited to, vocational-technical schools, community colleges, postsecondary institutions, proprietary schools, non-profit organizations, and secondary schools that offer vocational education.

Michigan will monitor and report actual hours of participation during the Stratified Simple Random Sample process. System enhancements will be made prior to September 30, 2007, to support collection of actual hours of participation.

A reasonable workplace environment must be provided and training sites must comply with applicable health and safety workplace standards. All work sites and placements must be non-discriminatory in nature and provide equal opportunity for all participants.

- a. Vocational/Occupational Training (Post Secondary Education Training)
An occupationally relevant training component, directly related to a specific occupational field or specific job, which may combine classroom, laboratory, and other related activities.

Vocational/occupational training participants may count up to 15 hours per week of classroom seat time, plus one hour of related study time for each hour of classroom seat time toward meeting their participation

requirements. Participants enrolled in CSP in conjunction with this activity may only count up to 36 months of participation in this activity towards **state** participation requirements. Participants enrolled in CSP in conjunction with this activity may only be provided supportive services for up to 24 months.

Only 52 weeks of this activity's participation time may be counted towards **federal** participation requirements, in all cases. In order to remain in Vocational/Occupational Training, participants must also demonstrate sufficient progress, as determined by the MWA in conjunction with the educational/training institution.

- i. Participants may count up to 15 hours per week of classroom seat time, plus one hour of related study time for each hour of classroom seat time toward meeting their participation requirements, if the study is supervised, verified, and documented otherwise study time does not count toward meeting participants requirements.
 - b. Condensed Vocational Training (pre-employment vocational educational training) (minimum 30 hours per week, six month limit)
 - i. No additional hours of participation are required beyond the minimum 30 hours per week, unless the participant is from a two-parent family receiving federally funded child day care.
 - c. Internships, Practicums, & Clinicals
 - i. Activities required by an academic or training institution for licensure, professional certification, or degree completion.
9. Job Skills Training (Occupation Skills Training)
- a. Job skills training focuses on educational or technical training that specifically helps individuals move into employment.
 - b. Remedial education/basic math/English as a second language is allowable if it related directly to employment or job training.
10. Education Directly Related to Employment (Basic Education Skills Training)
- a. For individuals who have not received a high school diploma or General Educational Development (GED).
 - b. Remedial education/basic math/English as a second language where related to a specific occupation, job, or job offer
11. Secondary Education
- a. No time limit for high school completion
 - b. Twelve month limit for GED preparation
 - c. Activity may not include other related educational activities such as adult basic education or language instructions unless it is linked to attending a secondary school or leading to a GED.

Condensed Vocational Training (CVT) (Core)

A short-term (not to exceed six months) vocational training program requiring a minimum of 30 hours of classroom seat time per week. The MWA must determine that a CVT is occupationally relevant and in demand. Participants must also demonstrate sufficient progress in the program as determined by the MWA. No additional hours of participation are required beyond the minimum 30 hours per week, unless the participant is from a two-parent family receiving federally funded child day care. A two-parent family that receives federally funded day care must work the additional hours (25) per week (total required hours [55] minus the hours of participation [30] in the program) to meet the work participation requirements.

In cases where a CVT lasts less than six months, the participant is eligible for enrollment in one additional CVT for a combined period not to exceed a total of 12 months. A participant **may not** be enrolled in a CVT if at any time during his/her lifetime the individual has participated in Vocational/Occupational Training. All CVT participants should be supervised no less frequently than daily.

Internships, Practicums, and Clinicals (Core)

Full-time internships, practicums, or clinicals required by an academic or training institution for licensure, professional certification, or degree completion. The program must be occupationally relevant and in demand as determined by the MWA. Participants must also demonstrate sufficient progress as determined by the MWA.

No additional work requirement is necessary unless the participant is from a two-parent family that receives federally funded day care. A two-parent family that receives federally funded day care must work the additional hours per week (total required hours minus the hours of participation in the program) to meet the work participation requirements.

All internships, practicums, or clinicals participants must be supervised no less frequently than daily. The length of time for which a participant may be enrolled in this activity shall be limited to the educational institution's requirements for completion of the associated program. Any participation time in this activity exceeding 52 weeks per individual shall not be counted towards federal participation requirements.

Job Skills Training Directly Related to Employment (Non-Core)

This activity is for recipients who possess a General Educational Development (GED) or high school diploma. It consists of training and education for job skills required by an employer to provide individuals with the abilities to obtain or advance in employment or adapt to changing workplace demands. Job skills training focuses on educational or technical training designed specifically to help individuals move into employment. Placement into this activity constitutes the appropriate comprehensive basic skills education required for individuals assessed at math and/or reading levels below ninth grade. Up to 15 hours per week of classroom seat time plus one hour of study time for each hour of seat time may be counted towards participation requirements. Participants enrolled in CSP in conjunction with this activity may only count up to 36 months of participation in this activity towards **state** participation requirements. Participants enrolled in CSP in conjunction with this activity may be provided supportive services for up to 24 months. Participants must meet the required minimum number of hours in Core Activities to meet participation requirements.

A limit on countable participation time in this non-core activity towards federal requirements is not addressed in federal regulations.

Job skills training can include customized training to meet the needs of a specific employer or it can be general training that prepares individuals for employment. This can include literacy instruction or language instruction when such instruction is explicitly focused on skills needed for employment or combined in a unified whole with job training. Job skills training directly related to employment should be supervised on an ongoing basis, no less frequently than daily.

Michigan will monitor and report actual hours of participation during the Stratified Simple Random Sample process. System enhancements will be made prior to September 30, 2007, to support collection of actual hours of participation.

A reasonable workplace environment must be provided and training sites must comply with applicable health and safety workplace standards. All work sites and placements must be non-discriminatory in nature and provide equal opportunity for all participants.

Education Directly Related to Employment (Non-Core)

This activity is for recipients who have *not* received a high school diploma or a certificate of high school equivalency. It involves education related to a specific occupation, job, or job offer. The activity includes courses designed to provide the knowledge and skills for specific occupations or work settings, but may also include adult basic education and English as a Second Language. Where required as a prerequisite for employment by employers or occupations, this activity may also include education leading to a GED or high school equivalency diploma.

Participants enrolled in CSP in conjunction with this activity may count up to 36 months of participation in this activity towards **state** participation requirements. Participants enrolled in CSP in conjunction with this activity may be provided supportive services for up to 24 months. The calculated hours may include actual classroom seat time up to 15 hours per week, plus up to one hour of study time for each hour of classroom seat time (excluding GED preparation). Participants must meet the required minimum number of hours in Core Activities to meet participation requirements.

GED preparation is limited to 52 weeks, with a maximum of ten countable hours of classroom seat time per week. Participants must meet the required minimum number of hours in Core Activities to meet participation requirements.

A limit on countable participation time in this non-core activity towards federal requirements is not addressed in federal regulations.

Placement into this activity constitutes the appropriate comprehensive basic skills education required above for individuals assessed at math and/or reading levels below ninth grade. Participants in education directly related to employment should be supervised on an ongoing basis, no less frequently than daily.

A standard of progress should be developed by the educational institution to count hours of participation. Satisfactory progress should be judged by, but not limited to, progress reports, report cards, grade point average, or a time frame within which a participant is expected to complete such education.

Note: To comply with Public Act 169, participants in the Work First Program shall not be enrolled and counted in membership in a school district or intermediate school district.

Michigan will monitor and report actual hours of participation during the Stratified Simple Random Sample process. System enhancements will be made prior to September 30, 2007, to support collection of actual hours of participation.

A reasonable workplace environment must be provided and training sites must comply with applicable health and safety workplace standards. All work sites and placements must be non-discriminatory in nature and provide equal opportunity for all participants.

Satisfactory Attendance at Secondary School or in a Course of Study Leading to a Certificate of General Equivalence (Non-Core)

Unlike “education directly related to employment,” this activity need not be restricted to those for whom obtaining a GED is a prerequisite for employment. The activity consists of regular attendance, in accordance with the requirements of the secondary school or course of study at a secondary school; or in a course of study leading to a certificate of general equivalence, in the case of a recipient who has not completed secondary school or received such a certificate. The former is aimed primarily at minor parents still in high school, whereas the latter could apply to recipients of any age.

This activity may not include other related educational activities, such as adult basic education or language instruction, unless it is linked to attending a secondary school or leading to a GED.

In addition to regular school attendance at a secondary school or in a course of study leading to a certificate of general equivalence, participants should be making “good or satisfactory progress” for the activity to count towards their participation time. Satisfactory progress should be judged by, but not limited to, progress reports, report cards, grade point average, or a time frame within which a participant is expected to complete such education. There is no time limit on high school completion. GED preparation is limited to 52 weeks, with a maximum of ten hours of countable classroom seat time per week. Participants must combine Secondary Education with the required minimum number of hours in Core Activities to meet minimum federal participation requirements.

A limit on countable participation time in this non-core activity towards federal requirements is not addressed in federal regulations.

Participants in this activity should be supervised on an ongoing basis, no less frequently than daily.

Note: To comply with Public Act 169, participants in the Work First Program shall not be enrolled and counted in membership in a school district or intermediate school district.

Michigan will monitor and report actual hours of participation during the Stratified Simple Random Sample process. System enhancements will be made prior to September 30, 2007, to support collection of actual hours of participation.

A reasonable workplace environment must be provided and training sites must comply with applicable health and safety workplace standards. All work sites and placements must be non-discriminatory in nature and provide equal opportunity for all participants.

PROHIBITED

In all such instances where participants are placed into any of the allowable work activities, they shall not be placed into vacancies created as of the result of layoffs, strikes, or bona fide labor disputes. While participants cannot displace employees who were involuntarily terminated due to staffing reductions, they may fill positions that occur due to attrition, as in cases where former employees voluntarily vacated positions. Concurrence must be obtained from the union prior to placement into vacancies if there is union representation.